A N

A D D R E S S

TO THE

FREEHOLDERS of MIDDLESEX,

ASSEMBLED AT

FREE MASONS TAVERN,

IN GREAT QUEEN STREET,

Upon MONDAY the 20th of DECEMBER 1779,

BEING THE DAY APPOINTED FOR

A MEETING of the FREEHOLDERS,

FOR THE PURPOSE OF ESTABLISHING MEETINGS

TO MAINTAIN AND SUPPORT

THE FREEDOM OF ELECTION.

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ADVERTISEMENT.

The preſent Impreſſion does not materially differ from the original Paper, delivered to Mr. Townſend, and read in the preſence of the aſſembled Freeholders, upon the 20th Inſt.

A few Sentences, however, are inſerted in the Text, and ſome Notes added, with a view of illuſtrating the principal deſign.

Dec. 30, 1779.

BRITISH MUSEUM

TO THE

CHAIRMAN

OF THE

Freeholders of *Middleſex, &c.*

SIR,

THE profeſſed deſign of your meeting, and the preſent alarming ſtate of public affairs*, induce me to ſubmit the following Sentiments

* It has been ſuggeſted to the Author of theſe pages, that it is poſſible the Parliament may be diſſolved, ſhortly after the expiration of the preſent receſs. Such an apprehenſion, if juſtly founded, will probably operate upon the Counties, to preſs the neceſſity of a ſpeedy inquiry into the expenditure of the Revenue, and incline them ſtrongly to recommend the eſtabliſhment of ſome Œconomical regulations, of no little conſequence to the well-being of the State. Such topics, as have a more immediate connection with our Political exiſtence, will doubtleſs not eſcape their notice.

A People may be happy, when the perſons, to whom the Crown confides the powers of Adminiſtration, act in a manner conformable to the high importance of the truſt.

ments to the judgement of Yourſelf, and the other Gentlemen aſſembled; preſuming, if they appear to be founded in reaſon, they will not be the leſs regarded, on account of their being ſuggeſted by an unknown individual.

The degree of attention, which ought in reaſon to be paid by the Repreſentative in Parliament to the Inſtructions of his Conſtituents, has often been the ſubject of controverſy. For my own part, I muſt freely confeſs, that in every inſtance, in which hitherto the ſentiments of the Electors of Great Britain have been conveyed to the Elected, the latter may be juſtified, in paying no further degree of attention to them, than the arguments, conſidered independently of the authority of the Perſons inſtructing, or remonſtrating, appear to deſerve.

It has frequently been urged upon ſuch occaſions, that the perſon, thus inſtructed, ought to conſider himſelf as the Repreſentative of the Kingdom at large; and therefore, as not under any Obligation to obey the Inſtructions of the County, or Borough, which returns him: This argument, though frequently adopted for no very defenſible purpoſe, is, in my apprehenſion, evidently founded in good ſenſe.

A People is free, when ſuch conſtitutional checks exiſt, as render it impracticable for Miniſters to betray the Public Cauſe.

I know ſome perſons, who, if the Opportunity, which now preſents itſelf, of ſecuring both theſe points, ſhould be neglected, will be ready to exclaim, TIME WAS—*Actum eſt de Libertate Anglicanâ.*

And

And with ſtill greater appearance of reaſon may the Repreſentatives of the Commons, actually aſſembled in Parliament, permit to lie neglected on their Table the Petition or Remonſtrance of the moſt reſpectable, or moſt populous, County of the Kingdom, if the ſentiments, contained in the ſaid Petition or Remonſtrance, be diſcordant with their own.

Partial intereſts, and a partial conception of the point in queſtion, may with greater probability be ſuppoſed to prevail in a County Meeting, however reſpectable, than in the public Aſſembly of the Nation. A declaration of opinion, in the ſtrongeſt language of Remonſtrance, cannot be unlawful, and may frequently be expedient; and the Right of Petitioning is a Privilege, to which the obſcureſt individual is intitled. But to determine, to reject, or to redreſs, lies intirely in the Breaſt of the general Repreſentative of the whole†.

But

† Every ſubject of this State is not only authorized, but by the Genius of Engliſh liberty he is encouraged and exhorted, freely to examine the defects of the Conſtitution—the errors of Government—and the conduct of the perſons, employed in its various departments; and as freely to cenſure, wherever cenſure, in his judgement, ſhall be due. I am ſometimes afraid, that the preſent inattention of the Nation, to affairs of State, is a ſymptom of its approaching diſſolution. I wiſh to ſee the ancient ſpirit of my countrymen revive—I wiſh to ſee them a nation of Politicians, and the principle of the famous ordinance of Solon univerſally prevail. There are times, when it ſhould be eſteemed criminal in any perſon, arrived at years of diſcretion, not to have formed an opinion—treaſonable, when a fair opportunity preſents itſelf, not to propagate, and ſupport his opinion, by the force of argument, and every legal method in his power.

But if neither the Commons Houſe of Parliament, nor any of its Members, are under an obligation to obey the inſtructions or commands of the perſons who elect them, ſignified as ſuch inſtructions have hitherto been, with leſs appearance of reaſon, can it be expected, that the opinions of the Freeholders of a County ſhould influence the Crown.

The King, the Houſe of Lords, and the Commons of this Country, equally and adequately repreſented in Parliament, are each of them to be regarded as abſolutely free and independent. While the Conſtitution ſubſiſts, the King cannot ſubmit to the moſt diſtant idea of Coercion by one, or both of the other Branches of the Legiſlature; and conſequently may, if he judges proper, reject the petition or remonſtrance of a ſet of men, whoſe

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For theſe and many other reaſons, the uſurped power of excluding the Subject from the Galleries of the Commons Houſe of Parliament, more eſpecially as exerciſed of late years, appears to me a direct violation of one of the moſt important privileges of the People. It deprives the Elector of the opportunity of hearing, what it highly concerns him to know; and diminiſhes the force of that ſalutary apprehenſion, in the mind of the Elected, which, in the midſt of the temptations he is expoſed to, has not unfrequently afforded conſiderable aſſiſtance to his Virtue. It defrauds the true Patriot of part of his reward, and ſhelters the perſon of the baſe Betrayer of the Conſtitution, from deſerved ignominy and diſgrace; but I forbear.

The only reaſon offered in juſtification of this practice, that deſerves the leaſt attention, is founded upon the idea, that foreign Powers may thus become more eaſily acquainted with our national concerns. But ſuch reaſon would not hold, were the deliberations of the Commons Houſe of Parliament confined to the proper objects. I know it has been aſſerted, that this branch of the Legiſlature, of late years, has too frequently aſſumed the executive functions of government.

opinion,

opinion, even the Commons Houſe of Parliament is not under an obligation to regard.

This doctrine, I truſt, will not be found in the leaſt to militate againſt the acknowledged right of the people to new-model the Conſtitution, and to puniſh with exemplary rigour every perſon, with whom they have entruſted power, provided, in their opinion, he ſhall be found to have betrayed that truſt.

I ſpeak only of a period, when, from the acquieſcence of the people, it plainly appears to be their will, that the form of government, already eſtabliſhed, ſhould continue in exiſtence.

Very different would be my language, were I ſpeaking of a moment, when the delegates of a ſtate, choſen according to forms, which not law and cuſtom, but neceſſity or expedience ſhall preſcribe, and aſſembling for the purpoſe of inquiring into the abuſe of power, ſhall ſit in awful judgment upon the traiterous invaders of their rights. In ſuch aſſembly alone, I acknowledge the SOVEREIGN power to reſide. To ſuch alone, the tremendous name of MAJESTY may with propriety be attributed. And compared with its imperial juriſdiction, the prerogatives of the Crown, the ſplendid privileges of the Nobles, and the authority of the Commons houſe of Parliament, either ſeparately conſidered, or combined, are leſs than duſt upon the ſcale†.

For

† Great advantage would be derived to the community, were our Fellow Citizens of the lower claſſes properly inſtructed in

For the reaſons above mentioned, and others not here treated of, the memorable petitions of the Freeholders of Middleſex, and of the other Counties of England to the Crown, praying a diſſolution of the Parliament, were very ill calculated to produce any ſalutary effect. To what purpoſe was it to prefer an ungrateful petition to a power, which you could not legally coerce? Men poſſeſſed of power are not diſpoſed to part with it, upon the petition of the perſons, who have declared themſelves injured by its exertion. Such mode of ſeeking redreſs rather tends to perpetuate the grievances, of which we complain. It cannot be conſtrued a breach of Privilege to aſſert, that the Houſe of Commons of that day was an ENGINE OF OPPRESSION, worked by that very power, from which it was requeſted the deſtruction of it ſhould proceed*.

Whether

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in the juſt and conſtitutional meaning of ſuch terms as the following, viz. *Majeſty—Subject—Sovereign—Republic—Loyalty—Allegiance—King's Bread, &c.* We never can expect to behold a proper exertion of the natural good ſenſe, and ſpirit of the Nation, until the underſtandings, and affections, of all orders of men, are emancipated from the influence of the falſe ideas, which ignorance, or the art of deſigning Politicians have annexed to theſe expreſſions.

* Theſe Remonſtrances of the Counties, ſo far as they were declarations of the opinion of the petitioning Parties, reſpecting the tranſaction here alluded to, were perfectly conſtitutional. The Error conſiſted in requeſting or expecting, as matters were then circumſtanced, that the Crown would interfere in the diſpute. There is a difference between an obligation ſtrictly moral, and an obligation eſtabliſhed by the ſanctions of Municipal Law. There is alſo a difference between being obliged to receive a petition, and being obliged to comply with its prayer.

Whether the ſame objections can reaſonably be urged againſt the following meaſures, the wiſdom of your Aſſembly muſt decide. I will ſtate my idea with all the brevity and preciſion in my power.

As there is reaſon to believe that other Counties will ſoon follow your laudable example, in appointing Meetings, for the purpoſe of maintaining and ſupporting the Freedom of Election, it might not be improper for the County, which ſets the glorious example, to draw the outlines of a regular plan, in which all the Counties, which may hereafter be diſpoſed to purſue a ſimilar line of conduct, may concur.

With a view of facilitating the execution of any important meaſure, hereafter to be adopted, it may be expedient to form a general eſtimate of the property, and of the number of the inhabitants, contained in each County, with a ſcale of the comparative conſequence of the great commercial cities, and of all the manufacturing Towns in the Kingdom; and from thence to form a calculation of the number of Deputies, which ought to be ſent by each County, provided it ſhould ever be thought requiſite for them to confer upon a common cauſe‡.

As ſoon as theſe numbers are aſcertained, let the idea be communicated to the aſſembled Gentlemen of the firſt County, or Counties, inclined to follow the example; and let it be ſubmitted to their

‡ See Burgh's political diſquiſitions.

their judgement, whether it would not be expedient to eſtabliſh ſtanding Committees, and to have reſpect to the aforeſaid calculation, in their appointment. For inſtance; if the Middleſex Committee ſhould conſiſt of (ten) Members, the ſtanding Committee of Yorkſhire, Norfolk, Hampſhire, Huntingdonſhire, &c. ſhould conſiſt of a number, in ſome meaſure proportioned to the property, contained in each of thoſe counties.

It will doubtleſs appear an adviſeable meaſure, after ſuch ſtanding Committees have been eſtabliſhed, that they ſhould communicate, from time to time, with each other, by their ſecretaries, and, by their joint and ſeparate influence, endeavour to induce other Counties to follow their example; but it would, by no means, be expedient for them, to engage in the proſecution of any invariable plan, until it ſhall appear, that a majority of the landed and commercial intereſt in the Kingdom ſhall be willing to concur in one deſign.

When this moment is arrived, the Committees of each County might depute a proportionate number of their body, to confer upon a proper form of remonſtrance to the Commons Houſe of Parliament; in which may be ſet forth the grievance, the nature of the expected redreſs, with a ſubjoined demand of ſuch redreſs, within a limited time.

It may in the laſt place appear expedient, after a form of remonſtrance has been approved by the Committees, that it ſhould be properly authenticated, as the public ACT of the combined Counties. It would then be ready for preſentation at the Bar of the Houſe, according to ſuch ſolemnities, and

with ſuch attendance, as the laws may authorize, and the importance of the ſubject matter demand.

The objection that lay againſt the idea of a ſingle County petitioning Parliament, or of all the Counties in ſucceſſion, would here have no place. The Counties, thus remonſtrating in combination, might juſtly aſſume a very different tone from the ſame Counties without ſuch connection. The command would proceed from the Principal to the Delegate, from the Maſter to the Servant, againſt whom may be iſſued an immediate revocation of all diſcretionary powers, the moment it is perceived, that the concerns of the Principal are likely to ſuffer, through the want of honeſty, or ability, in the perſon he employs.

The former Plea of the Delegate, that he is a repreſentative of the Community at large, may be urged againſt him, for here the community at large requires his compliance.

It is to be conſidered, that the Members of the Houſe of Commons ſit not in their own Right, (like the King and Nobles), but as Proxies for others; and the Proxy muſt in all reaſon be regarded as annihilated, when the voice of the Principal ſhall be thus diſtinctly heard. The King, the Hereditary Nobility, and the Commons, form the Conſtitutional Legiſlature of this Country. The particular manner, in which the latter give their voice is a ſubordinate conſideration. If they could aſſemble in perſon for this purpoſe, as was the caſe at Athens, and at Rome, the higheſt reſpect would be due to ſuch tranſcendent authority: But as ſuch mode is liable to very forcible

objections, and indeed would be impracticable, the beſt expedient is an equal repreſentation; and the Voice of ſuch a Repreſentative, whether called together by ordinary, or extraordinary forms, ought to be deciſive†.

But let us imagine, for a moment, that a power, which, thus poſſeſſed of property, may be alſo ſuppoſed to be poſſeſſed of the requiſite degree of authority, ſhould not in this inſtance be obeyed.

The Perſons, delegated by the Committees to carry this Mandate to the Houſe of Commons, report to the Bodies which deputed them, the Event of their remonſtrance.

The Committees aſſemble the Counties, and make a Report of their proceedings.

Under theſe circumſtances, Perſons of Character and Influence may ariſe in each County Aſſembly, and propoſe the Election of a new Committee, formed upon the ſame plan, but intruſted with enlarged, nay even diſcretionary powers, and may alſo recommend a general aſſociation of the

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† It is the proper end and aim of Repreſentation, that the Intereſts of all claſſes and deſcriptions of men ſhould, without reſpect of Parties, be effectually conſulted, in the Public Ordinances of the Nation. Whether theſe intereſts may be beſt ſecured, by attending to property, or to numbers, is a queſtion, which calls not for my preſent diſcuſſion.

Poſſibly, it may appear expedient, that to thoſe Perſons, who at preſent have no voice in the formation of the third diviſion of the Legiſlature, ſhould be conceded a power of electing a certain number, whoſe Voices may rank with the Votes of the preſent Electors.

the County, by the terms of which, the Parties lay themſelves under a ſolemn Obligation, as Men of Honour, and Friends of their Country, to agree to, and ſupport, every conſtitutional Meaſure, which the major part of the Committees ſhall think it expedient to propoſe, for the purpoſe of obtaining redreſs.

The attention of the people will thus at length be excited—they will ſee before them a ſet of men, who are guiltleſs of the charge of having betrayed the moſt important of all truſts—an entire confidence will be repoſed in them by their Conſtituents—and the conſciouſneſs of this confidence will give additional vigour to every reſolution. Meaſures dictated by Patriotiſm, directed by Prudence, and ſupported by a ſterner ſpirit of Perſeverance, than hath hitherto been manifeſted, will be the unavoidable reſult. What meaſures may be proper to be adopted, circumſtances, with which every future hour will be pregnant, muſt determine. I will not preſume, even in Idea, to anticipate, what may be thought expedient by the concentrated wiſdom of an enlightened People.

I am however of opinion, that if ſuch combined aſſemblies ſhould in ſolemn council declare, that the preſent Houſe of Commons was diſſolved, ſuch declaration would be truly conſtitutional, and that the requiſite power would not be wanting to give validity to the decree.

I am alſo of opinion, that an act paſſed by ſuch convention, and aſſented to by the Nobles, and the King, would, without the aid of any future ſanction, have all the authority of law.

According to this idea, no unconſtitutional coercion would be exerted againſt the remaining Branches of the Legiſlature; each would poſſeſs its proper Independency, and Freedom from external conſtraint; but would perhaps perceive it to be prudent to comply with the temperate claims, and wiſhes of the Commons. No other expedient would be neceſſary than the witholding of the ſupplies.

Thus might at length be obtained the bleſſing of an equal and adequate repreſentation, itſelf a ſufficient remedy for all our evils†.

Thus,

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† It lies not within the powers of my feeble Pen, to deſcribe in adequate language the various good effects, that in all probability would be derived from this ſource. One particularly ſtrikes me at this moment, which has not hitherto been ſufficiently conſidered; and, as its object is improvement in virtue, I hope the friends of virtue will attend to it.

As matters are circumſtanced at preſent, the number of Perſons is comparatively ſmall, who can reaſonably expect to obtain a Seat in that Aſſembly, which, if formed according to the Spirit of our Conſtitution, would be one of the moſt reſpectable aſſemblies upon Earth. But were the duration of Parliaments abridged—the Election of Members leſs open to undue influence—and a Plan of Rotation and equal Repreſentation eſtabliſhed, many Youths of ſpirit and ability, animated by the proſpect of the flattering diſtinction to which the free unbiaſſed voice of their fellow-citizens might raiſe them, would learn to diſdain each meaner gratification, and feel within them ſentiments, riſing reſponſive to the voice of Virtue, and of that honeſt Fame, which, in the language of the Poet, *Carmine gratior, aurem occupat humanam.*

I truſt there is more than one illuſtrious Senator, who fully can comprehend my meaning, and whoſe future rectitude of conduct will verify my words.

What the incomparable Beccaria ſays of an enſlaved people in general, holds true alſo with reſpect to thoſe, who find themſelves

Thus, the Fabric of government, reared by our Anceſtors, at the expence of ſo much labour and blood, would appear in finiſhed Beauty, and the Popular Pillar of the Conſtitution, thus ſet upon its proper Baſis, would give ſecurity and permanency to the whole*.

I have

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themſelves excluded from bearing a part in framing the Laws and directing the Public Counſels of their Country. "Gli "uomini ſchiavi ſono più voluttuoſi, più libertini, più crudeli "degli uomini liberi. Queſti meditano ſulle ſcienze, meditano "ſugl'intereſſi della Nazione, veggono grandi oggetti, e gl' "imitano; ma quegli contenti del giorno preſente cercano "frà lo ſtrepito del libertinaggio una diſtrazione dall'annien- "tamento, in cui ſi veggono."

Beccaria dei Delitti e delle Pene, p. 190.

* The idea of an equal and adequate repreſentation was, ſeveral years ago, propoſed, and ably ſupported, in the Houſe of Commons, by that intelligent and inflexible aſſertor of Engliſh Liberties, Mr. Wilkes.

Were the meaſure now adopted, a FŒDERAL UNION with the American States, productive of the greateſt commercial, as well as other political advantages, would probably take place; and this perhaps at no very diſtant period. Amidſt the preſent diſorders of our diſtempered ſtate, they may poſſibly eſteem it dangerous to be connected with a nation, ſo nearly allied to perdition.

The arts, that have been uſed to inflame the minds of the People of England, againſt their Brethren on the other ſide of the Atlantic, have hitherto proved but too ſucceſsful. I truſt, however, they now begin to fail; and that a temper, more becoming the ancient generoſity and humanity of our Nation, and more congenial to the ſpirit of the Religion we profeſs, will actuate our counſels. The great, the good Dr. Price has ſo ably touched this ſubject, that it would be preſumption in me to add any further reflexions of my own. To his ſound and catholic doctrine I ſubſcribe with heart and hand.

The principal ideas, contained in the plan now propoſed, have long been preſent to the mind of the writer; and he took the liberty of ſuggeſting them to Sir George Saville, three years ago, in two private letters, under the ſignature annexed to this addreſs.

I have much to urge in confirmation of theſe ideas—I am aware of objections—and I am not unprepared to reply to them. But I mean not to treſpaſs any further on your patience. I ſubmit this general ſketch of my preſent ſentiments, with deference, to a ſet of Gentlemen, who I truſt underſtand the rights of their Fellow Citizens, and have already manifeſted a becoming ſpirit in their ſupport.

The leading Principles of my Idea may be recapitulated in the following words.

I am alarmed when I recollect the Fate of former Remonſtrances, in favour of the injured Rights of Election; and I am diſpoſed to think, that, although Petitions from a majority of the counties, when acting ſingle or unconnected, might be rejected, greater reſpect would be paid to the remonſtrance of the ſame Counties combined. As the voice of ſuch majority would, ſtrictly ſpeaking, be the voice of the Commons of this country.

I am alſo inclined to wiſh, that the Freeholders of England, who are expected to aſſemble, in conſequence of legal ſummons, in every part of the Kingdom, may ſteadily keep in view ſome ONE CONSTITUTIONAL POINT—clear—diſtinct—and comprehenſive in its nature—expreſſed in terms, adapted to the underſtandings of all orders of men—ſuch as the intelligent and the virtuous of all parties will approve—and which, if attained, will not only render us an happy and an united people, but inſure the enjoyment of every national advantage to our lateſt poſterity.

Meaſures

Meaſures of extenſive utility are generally plain and ſimple, and immediately approve themſelves to the general ſenſe of mankind; with reſpect to ſuch therefore UNANIMITY may be expected.

It is alſo to be conſidered, that the ſame legal exertion of ſpirit, which, under the guidance of wiſdom and moderation would eſtabliſh one point of comparatively ſmall conſequence, would ſecure to us the poſſeſſion of the moſt important, beyond the influence of time and chance.

That the Friends of Liberty and of their Country ſhould COMMUNICATE WITH EACH OTHER, and in all their reſolutions, ſhould LOOK FORWARD TO FUTURITY; appear to me to be maxims, ſtrongly ſuggeſted by the complexion of the times.

I have only to add, that, when the times of diſtreſs, long predicted, ſhall arrive, the temper and the prudence may be wanting for the conception of ſuch ſchemes, as may be neceſſary for the ſalvation of our Country. But a plan may be propoſed—may be deliberated upon—and in part aſſented to, in the hour of tranquillity which precedes the ſtorm.

Salus Publica.

FINIS.

2 NO 66